

COUNSEL TO THE INSPECTOR GENERAL

ES-905

INTRODUCTION

The Counsel to the Inspector General (IG) is responsible for executive leadership, direction, management and conduct of a full range of legal and advisory services with respect to policy, regulations, practices, or other matters falling within the purview of the Office of Inspector General (OIG). The incumbent is responsible for providing the legal services required by the Inspector General, senior managers, supervisors, and staff in the OIG to fulfill the statutory duties and responsibilities of the IG under the Inspector General Act of 1978, as amended 5 U.S.C. app. The incumbent is also responsible for OIG internal and external communications, and related services. Ensures that the OIG's priorities and interests are clearly and accurately communicated. Articulates the OIG's position on legislation proposed by Congress in testimony, statements for the record, and views on related correspondence. Provides executive leadership, direction and management to Congressional hearings, responses to congressional committee oversight requests and other inquiries from individual Members and Congressional staff.

MAJOR DUTIES AND RESPONSIBILITIES

- Serves as the principal legal advisor to the IG with respect to legal aspects of the formulation, coordination, revision and execution of OIG policies and programs. Incumbent assigns, directs and reviews the work of attorneys and support staff in the Office of Counsel to the IG,
- Provides expert and timely legal advice to the IG and OIG senior managers, supervisors and staff on a wide range of complex and difficult audit and investigative issues, including highly sensitive and controversial legal problems that affect major, critical operations of the Environmental Protection Agency (EPA). Reviews and evaluates audit findings and management improvement suggestions for legal sufficiency and assists in criminal investigations.
- Represents the OIG in discussions and negotiations with EPA's Office of General Counsel (OGC) and Agency attorneys on a wide range of legal issues arising from audits, investigations, and other activities of the OIG. Confers, as appropriate, with top Agency officials to resolve complex legal problems.
- Provides expert legal advice and assistance on:
 - The proper legal application of Federal statutes and regulations administered or issued by EPA or its organizational components.
 - The legal policies, procedures and operations of the OIG to ensure that they are effective, sufficient, and in conformance with recognized standards and Federal regulations.

- The development, review, and consideration of procedures and methods to reduce fraud, waste, abuse, mismanagement and inefficiency that are raised during audits of EPA programs and operations and those of organizations funded by EPA. Reviews and considers complex legal issues arising out of such procedures and methods. Participates in the evaluation of existing and proposed legislation, Executive Orders, regulations, and policies to determine the effect of such measures on fraud, waste, abuse, economy, and efficiency.
- The preparation and administration of subpoenas and OIG policy and authorities. Ensures the proper completion and filing of legal documents in cases under review.
- Administrative matters dealing with personnel, EEO, and budget. Ensures that administrative laws, regulations, and procedures are properly executed and counsels staff members on the legal aspects of their respective program areas.
- Matters relating to Freedom of Information Act and Privacy Act requests from individuals and/or their attorneys.
- Develops an ongoing liaison and working relationship with the legal counsels to Inspectors General in other Federal agencies and the Department of Justice to ensure coordination of legal advice which affects the interpretation of the Inspector General Act.
- Serves as the OIG representative at the Council of Counsels to the Inspector General assisting in matters of mutual interest. Formulates and recommends OIG positions on proposed or new legislation. Interacts on legislative matters with the IG, other agencies, the legislative committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE) and counterparts in other Federal agencies. Identifies and integrates key legal issues and legislation affecting the organization including political, economic, social, technological, and administrative factors affecting on the functions and work of the OIG. Works with and through the policy making and implementation structure to formulate and recommend OIG legal policies and procedures.
- Participate, in the preparation of Congressional and other testimony and related materials to be given by the IG or the Assistant inspectors General (AIGs). The incumbent represents the OIG on legal issues before Congressional committees, subcommittees, members of Congress and their staffs. At request of the IG, presents testimony on legal and other issues. Participates in the formulation of the OIG legislative program and reviews comments on the legislative reports, and hearings.
- Provides summaries of activities for use in the preparation of the IG's Semiannual Report to the Congress and reviews such reports for accuracy and legal sufficiency.
- Conducts extensive independent legal research and analysis into the most complex and difficult questions of criminal, civil, and administrative law and procedures; prepares memoranda, reports, correspondence, and, when necessary, motions, briefs, responses to motions, and other pleadings in coordination with the Department of Justice and United

States Attorney's Offices; and issues appropriate legal guidance to OIG staff, which is responsive to legislative actions and court decisions that affect the conduct of OIG audits and investigations.

- Provides executive direction over all activities related to congressional and public affairs, and publications for the OIG. Establishes and maintains effective working relationships with various high-level individuals, including Members of Congress and their staff, other legislative and executive agencies, executives of major corporations, and distinguished members of the public. Establishes and maintains close and cooperative working relationships with EPA OIG or department management and officials, government agencies, and other institutions with related interests, in order to advance the programs and objectives of EPA OIG.
- Actively participates in boards and committees as the representative of EPA OIG in dealing with matters which extend well beyond the assigned program responsibility. Serves as the principal representative and consultant for the agency at interagency and international meetings dealing with issues and information in the area of expertise and program responsibility.
- Exercises supervisory personnel management responsibilities over staff, including hiring staff, making assignments, determining responsibilities, setting priorities, evaluating employee performance, recommending appropriate incentives, initiating corrective actions, assuring safe workplace practices, keeping employees informed of management and personnel policies, and counseling employees regarding their benefits, salaries, and the status of requirements of Federal civil servants.
- Exercises continuing responsibilities to effectively support Equal Opportunity Affirmative Employment Plan. Incumbent is responsible for communicating this support to subordinates and taking positive actions which will motivate and furnish opportunity to all personnel who participate in training, reassignments, details, and other actions which prepare employees for career advancement. Incumbent must be objective in appraising each employee's qualifications and performance in hiring, promotions, and awards.
- Performs other duties as requested by the IG.

SUPERVISORY CONTROLS

The incumbent reports directly to the Immediate Office of the Inspector General and assignments are made in terms of broadly defined program objectives within general OIG policy framework. The incumbent carries out assignments independently. Supervision is nominal and consultative in nature. Acts with substantial degree of technical authority in planning, performing and completing all activities. Work is evaluated in terms of overall effectiveness and contribution to the accomplishment of the OIG's mission.